



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/042,390	01/11/2002	Kinya Ono	Q68033	5493

7590 10/18/2006
SUGHRUE MION, PLLC
2100 Pennsylvania Avenue, NW
Washington, DC 20037-3213

EXAMINER

MATTIS, JASON E

ART UNIT	PAPER NUMBER
----------	--------------

2616

DATE MAILED: 10/18/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/042,390	Applicant(s) ONO ET AL.	
	Examiner Jason E. Mattis	Art Unit 2616	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 August 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,3-8,10-13 and 15-19 is/are rejected.
- 7) ☒ Claim(s) 2,9 and 14 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This Office Action is in response to the Amendment filed 8/2/06. Due to the amendment, the previous drawing objection has been withdrawn. Also due to the amendment, the previous objection to claim 7 has been withdrawn. Claims 1-19 are currently pending in the application.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1, 3-4, 8, 10, 13, 15-16, and 19 are rejected under 35 U.S.C. 102(e) as being anticipated by Gibbs et al. (U.S. Pat. 6169725 B1).

With respect to claims 1, 8, and 13, Gibbs et al. discloses a data transmission/reception system, method, and apparatus (**See column 6 lines 1-14 and Figure 1 of Gibbs et al. for reference to a data transmission system including apparatuses implementing a method**). Gibbs et al. also discloses a plurality of information transmitters/receivers connected to nodes on a bus, for

transmitting/receiving data through a connection established between the nodes (**See column 6 lines 1-14 and Figure 1 of Gibbs et al. for reference to a plurality of devices 12-24 and 301, which include transmitters/receivers and are connected to nodes on a bus 30**). Gibbs et al. further discloses a connection restoration control device for restoring each connection at each node by the passage of a predetermined time when each established connection is reset based on a bus resetting (**See column 9 line 48 to column 10 line 18, column 12 lines 36-65, and Figure 5 of Gibbs et al. for reference to a software architecture 500 runs on a restoration control device that restores connections within the first one second after a network reset, which is a bus reset, as defined by IEEE 1394**). Gibbs et al. also discloses controlling an execution order of a plurality of connection restorations corresponding to the types of connections, and dividing the connection restoration into a plurality of processes that are selectively executed based on a status of the connection restoration (**See column 11 line 43 to column 12 line 12, column 12 line 66 to column 14 line 14, and Figure 8 of Gibbs et al. for reference to controlling an execution order of connections restorations following a network reset with different processes being performed based on DCM labels of each connections, which are labels indicating the status of each of the connections**).

With respect to claims 3 and 15, Gibbs et al. discloses a connection information recording device at each node on the bus holding connection information including the process to be selected and the status of connection restoration (See column 12 line 36 to column 14 line 14 of Gibbs et al. for reference to storing

connection information including a process to be performed and a connection status in a DCM list, which is a recording device at each node).

With respect to claims 4, 10, and 16, Gibbs et al. discloses processes including allocating channels and bandwidth necessary (See column 12 lines 36-65 of Gibbs et al. for reference to allocating streams, which are channels, and allocating available bandwidth during the connection restoration process).

With respect to claim 19, Gibbs et al. discloses the connection information including each ID intrinsic to each apparatus and controlling an execution order of a processing of obtaining each ID (See column 11 lines 43-67 of Gibbs et al. for reference to gathering a list of all GUIDs, which are IDs intrinsic to each apparatus).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 5, 11, and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gibbs et al. in view of Zou (U.S. Pat. 6160796 A).

With respect to claims 5, 11, and 17, Gibbs et al. discloses that the bus is a serial bus compliant with the IEEE 1394 Standard (**See column 6 lines 1-14 and Figure 1 of Gibbs et al. for reference to the bus being a serial bus compliant with IEEE 1394**). Gibbs et al. does not disclose that the connections that are restored include a Broadcast-out connection, a Broadcast-in connection, and a Point-to-point connection.

With respect to claims 5, 11, and 17, Zou, in the field of communications, discloses connections including a broadcast-out connection, a broadcast-in connection, and a point-to-point connection (**See column 17 line 58 to column 18 line 8 of Zou for reference to procedures for adding or removing connections including a broadcast-out connection, a broadcast-in connection, and a point-to-point connection**). Restoring a broadcast-out connection, a broadcast-in connection, and a point-to-point connection has the advantage of allowing these common IEEE 1394 type connections to be restored after a bus reset.

It would have been obvious for one of ordinary skill in the art at the time of the invention, when presented with the work of Zou, to combine restoring a broadcast-out connection, a broadcast-in connection, and a point-to-point connection, as suggested by Zou, with the system, method, and apparatus of Gibbs et al., with the motivation being to allow these common IEEE 1394 type connections to be restored after a bus reset.

6. Claims 6-7, 12, and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gibbs et al. in view of Zou as applied to claims 5, 11, and 17 above, an in further view of Kim et al. (U.S. Pat. 6885631 B1).

With respect to claims 6-7, 12, and 18, the combination of Gibbs et al. and Zou does not disclose updating oPCR and iPCR of plugs.

With respect to claims 6-7, 12, and 18, Kim et al., in the field of communications, discloses updating oPCR and iPCR of plugs (**See column 1 lines 46-57 and Figure 1 of Kim et al. for reference to updating oPCR and iPCR of plugs**). Updating oPCR and iPCR of plugs has the advantage of allowing connections to be set up between devices on the bus.

It would have been obvious for one of ordinary skill in the art at the time of the invention, when presented with the work of Kim et al., to combine updating oPCR and iPCR of plugs, as suggested by Kim et al., with the system, method, and apparatus of Gibbs et al. and Zou, with the motivation being to allow connections to be set up between devices on the bus.

Allowable Subject Matter

7. Claims 2, 9, and 14 objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Response to Arguments

8. Applicant's arguments filed 8/2/06 have been fully considered but they are not persuasive.

Regarding Applicant's argument that the resetting of internal connections as disclosed by Gibbs et al. is not equivalent to the claimed restoring connections at nodes, the Examiner respectfully disagrees. The internal connections discussed by Gibbs et al. refer to connections from an internal component of one device through the external bus to an internal component of another device (See column 2 line 64 to column 3 line 18 of Gibbs et al. for reference to an internal connection being a connection from an internal component of one device to an internal component separate device located at another node of the bus). Thus the resetting of internal connections as defined by Gibbs et al. does correspond to the claimed restoring of connections at nodes.

Conclusion

9. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not

Art Unit: 2616

mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jason E. Mattis whose telephone number is (571) 272-3154. The examiner can normally be reached on M-F 8AM-5:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Huy Vu can be reached on (571) 272-3155. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

jem



HUY D. VU
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600